

1 Martha G. Bronitsky
Chapter 13 Standing Trustee
2 24301 Southland Dr #200
Hayward, CA 94545-1541
3 (510) 266 - 5580

4 Trustee for Debtor(s)

5 UNITED STATES BANKRUPTCY COURT
6 NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

8 In re

Rogelio Aguayo
9 Aurora Arcardia Aguayo

Chapter 13 Case No. 09-47468-EDJ13

11 debtor(s)

12 **Trustee's Motion and Declaration to**
Dismiss Proceedings and Notice Thereon

13 TO DEBTOR(S) AND DEBTOR(S)' ATTORNEY OF RECORD:

14 Martha G. Bronitsky, Chapter 13 Standing Trustee hereby moves the court for an Order
15 Dismissing these proceedings pursuant to 11 U.S.C. Section 1307(c) upon the grounds that the
16 debtor(s) is in material default for the following reasons:

17 Failure to Obtain Order on Motion to Value

18
19 NOTICE IS HEREBY GIVEN that debtor or the attorney of record may request a hearing in
20 writing stating specific grounds for objecting to the dismissal of these proceedings to the court and
21 served on the trustee no later than twenty (20) days from the date of service of this motion. Trustee
22 will then schedule a hearing date and notice debtor and the attorney of record of said hearing date.

23 I declare under penalty of perjury that the foregoing is true and correct.

24 Date: October 28, 2009

/s/ Martha G. Bronitsky

25 Signature of Martha G. Bronitsky
26 Chapter 13 Standing Trustee

1 In re

2 Rogelio Aguayo
3 Aurora Arcardia Aguayo
debtor(s)

Chapter 13 Case No. 09-47468-EDJ13

CERTIFICATE OF SERVICE

4 I HEREBY CERTIFY that I have served a copy of the within and foregoing document on the
5 debtor (s), counsel for debtor (s), and if applicable, the creditor, creditor representatives and the
6 registered agent for the creditor by depositing it in the United States mail with first class
postage attached thereto.

7 I declare under penalty of perjury under the laws of the State of California that the foregoing is
8 true and correct.

9
10 Rogelio Aguayo
11 Aurora Arcardia Aguayo
298 Highway Ave
Bay Point,CA 94565

Steven L Jacobs Atty
14895 E 14Th Street #390
San Leandro,CA 94578

(Counsel for Debtor)

(Debtor(s))

13 Date: October 28, 2009

/s/ Gina A Weaver

Gina A Weaver